

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-cv-10571-RWZ

JOSEPH SCHMITT,  
Plaintiff,

v.

MASSACHUSETTS DEPARTMENT OF  
CORRECTION, et al.,

Defendants.

**DEFENDANT'S MOTION TO ENLARGE TIME**

Defendant Department of Correction hereby moves for enlargement of time in which to file a responsive pleading up to and including September 8, 2006.

As grounds therefore, counsel for defendants states that she has only recently been assigned this case and several other lawsuits filed by pro se plaintiff Joseph Schmitt. Due to an ever increasing caseload and numerous other competing demands on her time, including a trial in state court beginning on July 31, 2006, a federal trial beginning on August 14, 2006, and a vacation in late August, the requested extension is needed to investigate the Complaint's numerous allegations and to prepare an informed responsive pleading in compliance with the civil rules.

Respectfully submitted,

NANCY ANKERS WHITE  
Special Assistant Attorney General

DATED: July 20, 2006

/s/ Jody T. Adams

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Jody T. Adams, Counsel  
B.B.O. # 633795  
Department of Correction, Legal Division  
70 Franklin Street, Suite 600  
Boston, MA 02110-1300  
(617) 727-3300 ext. 169

**CERTIFICATE OF SERVICE**

I hereby state under the pains and penalties of perjury that I did this day serve a photocopy of the above document upon the plaintiff (pro se) via first class mail.

Date: 7/20/06

/s/ Jody T. Adams

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Jody T. Adams, Counsel